

REMARKS

Claims 24-35 are pending in the above application. By the above amendment, claims 34 and 35 have been added.

The Office Action dated February 24, 2006, has been received and carefully reviewed. In that Office Action, claims 24-33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Asai. Reconsideration and allowance of claims 24-33 and examination and allowance of claims 34 and 35 is respectfully requested in view of the following remarks.

A MOTIVATION FOR COMBINING THE REFERENCES HAS NOT BEEN PROVIDED

It is respectfully submitted that a proper motivation for combining Wu and Asai has not been provided and that therefore a *prima facie* case of obviousness has not been presented. The reason provided for modifying Wu in view of Asai is said to be "to prevent overflow of the buffer therefor it is not essential to have large buffer." Asai addresses a buffer overflow problem. However, it is respectfully submitted that Wu does not discuss a buffer and therefore does not appear to suffer from any buffer overflow problem that needs to be addressed. It is thus not clear how the Office Action is proposing to modify Wu.

It appears that the Office Action may be proposing to modify a buffer in Wu, but Wu does not appear to include a buffer, much less a buffer that suffers from overflow problems. If the proposal is to add a buffer to Wu, it is respectfully submitted that a motivation for doing so has not been provided. If the examiner is asserting that it might be possible to add Asai's buffer to Wu's device, it is respectfully submitted that the possibility of combining references does not establish a motivation for doing so. MPEP 2143.01. The Office Action does not provide any proper motivation for combining Wu and Asai, and it is therefore respectfully submitted that a *prima facie* case of obviousness has not been presented in connection with claim 24. Claim 24 is submitted to be allowable over the references of record for at least this reason.

Claims 25-28 and 34 depend from claim 24 and are submitted to be allowable for at least the same reasons as claim 24.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Asai. The reason for combining these references is the same as the reason provided in

connection with claim 24. However, as discussed above in connection with claim 24, Wu does not appear to include a buffer. Therefore, Wu does not have a buffer that can be modified and does not suffer from buffer overflow problems that Asai can address. Like claim 24, it is not clear how the examiner proposes to modify Wu in view of Asai. For the reasons provided above in connection with claim 24, it is respectfully submitted that a motivation for modifying Wu has not been provided, that a *prima facie* case of obviousness has not been presented, and that claim 29 is allowable over the art of record.

Claims 30-33 and 35 depend from claim 29 and are submitted to be allowable for at least the same reasons as claim 29.

THE REFERENCES DO NOT SHOW OR SUGGEST THE CLAIMED INVENTION

Even if a motivation for combining the references were provided, it is respectfully submitted that the references in no manner show or suggest the invention required by the pending claims. The Office Action acknowledges that Wu does not show two different inverse quantizing tools and cites to Asai to show two different inverse quantizing tools. However, it is respectfully submitted that when Asai is considered in its entirety, (MPEP 2141.02), it will be seen that this reference does not show two different inverse quantizing tools as required by the pending claims.

It is noted that Asai does include statements such as “22a is an adaptive quantizing section which selects and uses a proper quantizer out of a plurality of them according to the spatial frequency...” (column 7, lines 63-65). However, as discussed below, it is submitted that this statement is a reference to changing the parameters of a single quantizing tool rather than to somehow using multiple different quantizing and inverse quantizing tools. In other words, “quantizer” as used in Asai is merely a reference to a “quantizing parameter” and not to a separate quantizing tool.

For example, Asai discusses at column 8, lines 9-10, the selection of a proper quantizing coefficient rather than the selection of a proper tool. Again, at column 8, lines 9-10, Asai indicates that “a proper quantizing characteristic is selected...” However, at column 8, line 21, Asai refers to the “above mentioned” embodiment in which “quantizers are switched.” In the

previously mentioned text, only the changing of quantizing parameters is discussed. This is consistent with an interpretation of “quantizer” as meaning “quantizing parameter” and not “quantizing tool.”

Next, at column 8, lines 39-47, Asai discusses the “inverse quantization section” that selects and uses a proper “quantizer.” An inverse quantizer section would not use quantizing tools. This language therefor only makes sense if Asai is using the word “quantizer” to refer to a quantizing parameter and not to a particular tool.

In addition, Asai discusses a quantizer that has a variable parameter and how this parameter is selected. However, it does not seem logical to provide quantizers having varying parameters and then to use separate quantizers instead of merely changing those variable parameters.

Finally, at column 8, lines 6 to 11, Asai discusses Figure 9 and how Figure 9 shows the selection of a proper “quantizing characteristic.” These characteristics, as illustrated in Figure 9, are quantizing step sizes for a quantizing tool, not separate quantizing tools.

Out of context, selected phrases of Asai may suggest two different quantizing tools; however a reading of the entire disclosure, and in particular, column 7, line 63 to column 8, line 60, shows that only a single tool with a variable parameter is disclosed. Therefore, even if a motivation for combining Wu and Asai were provided, the result would not be a device with two different inverse quantizing tools as required by claim 24. Claim 24 and its dependent claims 25-28 and 34 are submitted to be allowable over Asai for at least this reason.

Claim 25 is submitted to further distinguish over Wu and Asai. Claim 25 require that the two different inverse quantizing tools have different processing capabilities. Even if Asai is read to show different inverse quantizing tools, nothing in Asai suggests that these tools have different processing capabilities as required by claim 25.

Claim 26 also further distinguishes over Wu and Asai by requiring information identifying an inverse quantizing tool. The Office Action indicates that Wu shows identifying an inverse quantizing tool. However, the Office Action earlier acknowledge that Wu does not show two different inverse quantizing tools. As previously argued, only one inverse quantizing tools is shown, thus there is no need to “identify” an inverse quantizing tools when there are no other

tools to distinguish it from. One skilled in the art would not find it obvious to identify an inverse quantizing tool based on the disclosure of these references, and claim 26 is submitted to further distinguish over Wu and Asai for this reason. New claim 34 is claim 26 made dependent from claim 25 and is submitted to be allowable for at least the same reasons as claims 25 and 26 discussed above.

Claim 29 includes the limitation of an inverse quantizer having at least two different inverse quantizing tools and is submitted to be allowable over Wu and Asai for at least the same reasons provided above in connection with claim 24.

Claims 30, 31 and 35 depend from claim 29 but are otherwise generally similar to claims 25, 26 and 34 respectively. These claims are submitted to further distinguish over the references of record for at least the same reasons provided above in connection with claims 25, 26 and 34.

CONCLUSION

Each issue raised in the Office Action dated February 24, 2006, has been addressed, and it is submitted that claims 24-35 are in condition for allowance. Wherefore, reconsideration and allowance of claims 24-33 and examination and allowance of claims 34 and 35 is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

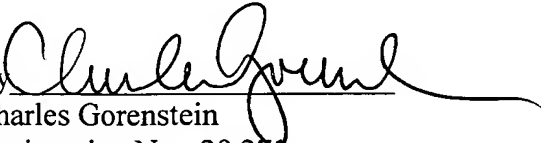
Application No. 10/728,866
Amendment dated June 26, 2006
Reply to Office Action of February 24, 2006

Docket No.: 1152-0295P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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